

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

REATA PETROLEUM, LTD.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. 3:08-1009
	)	Judge Trauger
ESM LIMITED, WILLIAM F. DIPPOLITO, P.S.,	)	
INC., WILLIAM F. DIPPOLITO, individually,	)	
MARTIN BURKE, individually and in his	)	
corporate capacity with ESM, Limited,	)	
DAVID PRAISE, individually and in his corporate	)	
capacity with ESM, Limited,	)	
N. KAMANGA MWANGI, individually, and in	)	
his corporate capacity with Kamro Consulting	)	
Group, International Corporation, N. Kamanga	)	
Mwangi, Chairman and CEO; and	)	
SaZara Investments,	)	
	)	
Defendants,	)	
and	)	
	)	
HARISH RAGHAVAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
SEAN HORNBECK,	)	
	)	
Defendant.	)	

**ORDER**

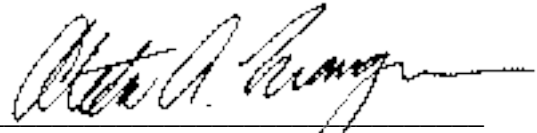
The Emergency Motion to Remand filed by plaintiff Harish Raghavan is well-taken and is, therefore, **GRANTED**. The Notice of Removal and Civil Cover Sheet state that defendant Sean Hornbeck, who removed the case, is a citizen and resident of the State of Tennessee. Because this action was removed based on diversity of citizenship only, removal is inappropriate

under 28 U.S.C. § 1441(b ) because defendant Hornbeck is a “citizen of the State in which such action is brought,” namely Tennessee.

The Clerk shall **REMAND** this case to the Chancery Court for Davidson County, Tennessee, from whence it was improperly removed.

It is so **ORDERED**.

ENTER this 15<sup>th</sup> day of October 2008.

A handwritten signature in black ink, appearing to read 'Aleta A. Trauger', is written over a horizontal line.

ALETA A. TRAUGER  
U.S. District Judge